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Attorney Docket No.: 019281-000900US

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TOWNSEND and TOWNSEND and CREWALL

May 19, 2003

By Pendy (Kraute

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John J. Sie, et al.

Application No.: 09/687,149

Filed: October 12, 2000

For: PROGRAMMING DISTRIBUTION

SYSTEM

Examiner: Unassigned

Art Unit: 2711

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR

§1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

John J. Sie, et al.

Application No.: 09/687,149

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representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Thomas D. Franklin Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 303-571-4000

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TDF:cmb
DE 7104956 v1

PTO/SB/08B (04-03) Approved for use through 04/30/2003. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

> (use as many sheets as necessary) of

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| Complete if Known | | | | |
|------------------------|-----------------------|--|--|--|
| Application Number | 09/687,149 | | | |
| Filing Date | October 12, 2000 | | | |
| First Named Inventor | Sie, John J., et. al. | | | |
| Art Unit | 2711 | | | |
| Examiner Name | Unassigned | | | |
| Attorney Docket Number | 019281-000900US | | | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|--|
| | | Document Number | | | | |
| Examiner | Cite No. ¹ | Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|---------------------------------------|------|---------------------------|---------------------|-----------------------------------|--------------------------------|------------------------------|--|----------------|
| Examiner Cite Foreign Patent Document | | | Name of Patentee or | Pages, Columns, Lines, | | | | |
| Examiner Initials* | No.1 | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | T ⁶ |
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| NON PATENT LITERATURE DOCUMENTS | | | | | |
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| Examiner Initials * | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | |
| | AP | Ciciora, Walter; James Farmer; David Large; Modern Cable Television Technology: Video, Voice, and Data Communications; Morgan Kaufmann Publishers, Inc.; 1999; Chapter 16; pp. 659-688. | | | |
| | AQ | | | | |
| - | AR | | | | |
| Examiner Signature | | Date Considered | | | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control numb **Application Number** 09/687,149 TRANSMITTAL October 12, 2000 Filing Date **FORM** First Named Inventor Sie, John J. (to be used for all correspondence after initial filing) Art Unit 2711 Technology Center 2600 Examiner Name Unassigned Total Number of Pages in This Submission Attorney Docket Number 019281-000900US ENCLOSURES (Check all that apply) Fee Transmittal Form ☐ Drawing(s) Appeal Communication to Board of Appeals Fee Attached Licensing-related Papers and Interferences Petition Appeal Communication to Group (Appeal Amendment/Reply Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information **Provisional Application** Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Terminal Disclaimer ○ Other Enclosure(s) ___ Extension of Time Request (please identify below): Request for Refund Return Postcard Express Abandonment Request CD, Number of CD(s) Cited References: (3-US Patents; 1-Non-Patent Fourth Supplemental Information Literature Document) **Disclosure Statement** Certified Copy of Priority The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Or Individual Thomas D. Franklin Reg. No. 43,616 Signature May 19, 2003

CERTIFICATE OF TRANSMISSION/MAILING

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| Typed or printed name | Cindy Bennett | |
|-----------------------|------------------|--------------|
| Signature | Curty Smill Date | May 19, 2003 |

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